IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO.2176 OF 2006
IN
FIRST APPEAL NO.455 OF 1994
AND
CIVIL APPLN.(ST.) NO.11159 OF 2006

Union of India & Ors. ...Appellants (Org.Opponents)
Vs.
Mohd. Masud Mohd. Mahsin
Bhaiji & Ors. ...Respondents
And
Board of Trustees of Jawaharlal
Nehru Port Trust ...Applicant

Shri Rajivkumar with Shri Anurag Gokhale i/b. M/s. Milan Bhise & Co. Advocates for Applicant
Shri B.A. Desai, Adv. Soli. General with Shri M.I. Sethna, Sr. Adv. With Shri S.R.Rajguru, Shri A.M. Sethna, Shri S.D. Bhosale Advocates for Original Appellant No.1.
Shri V.A. Gangal, Advocate for Respondent NO.4
Shri Shekhar Naphade with Shri Girish Kulkarni Advocates for Respondent No.5
Shri V.S. Kotwal i/b. Bodhanwala & Co. for Respondents
Shri A.R. Patil, A.G.P for the State.

CORAM: R.M.S.KHANDEPARKAR &
SMT. ROSHAN DALVI, JJ.
DATED: 6TH JUNE, 2006

P.C.

1. These applications are taken out by the Appellant No.3 who is the acquiring authority for being heard in this appeal and the related appeals separately and distinctly from appellants 1 and 2.

2. Extensive arguments have been heard on behalf of appellants 1 and 2 as well as the respondents. Nevertheless since, appellant no.3 would be required to make payment of compensation, if any, ordered, in the appeal, appellant no.3 has also been heard on the valuation/compensation as well as on law. The Advocate for appellant no.3 Shri Rajivkumar has taken us through the entire evidence led in the Reference Court as well as submitted written arguments. As regards arguments on merits, the learned Advocate clarified that the same shall be restricted to the documentary evidence. The applications accordingly stands disposed of.

(SMT.ROSHAN DALVI, J.) **(SHRI. R.M.S.KHANDEPARKAR,J)**